

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Landry, et al.

Serial No.: 10/698,010

Filed: October 30, 2003

For: SPINAL STABILIZATION
SYSTEMS AND METHODS USING
MINIMALLY INVASIVE
SURGICAL TECHNIQUES

Examiner: Swiger III, James L.

Group Art Unit: 3733

Attorney Docket No.: 5259-10700US02

Certificate of Electronic Filing:

I hereby certify that this paper (along with
any paper referred to as being attached or
enclosed) is being electronically filed with
U.S. Patent and Trademark Office on:

Date of Deposit: October 24, 2007

Karen R. Smith
Karen R. Smith

Declaration and Power of Attorney
For a United States Patent Application

As a below-named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original and first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "SPINAL STABILIZATION SYSTEMS AND METHODS USING MINIMALLY INVASIVE SURGICAL PROCEDURES," the specification of which was filed on October 30, 2003, the claims of which were filed on September 10, 2007, said claims amended by the Examiner in the Notice of Allowance dated October 12, 2007, and the application number of which is 10/698,010.

I hereby state that I have reviewed and understand the contents of the above-mentioned specification, including the claims filed on September 10, 2007, which were amended by the Examiner in the Notice of Allowance dated October 12, 2007.

I acknowledge a duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

Claim to benefit of foreign application(s) as follows:

I hereby claim foreign priority benefits under 35 U.S.C. §119 for the following foreign applications for patent or inventor's certificate.

NONE

THE FOLLOWING FOREIGN APPLICATIONS FOR PATENT OR INVENTOR'S CERTIFICATE HAVE A FILING DATE EARLIER THAN THE FILING DATE OF THE APPLICATIONS IDENTIFIED ABOVE.

NONE

Claim to benefit of earlier U.S. application(s) as follows:

I hereby claim benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/471,254, filed May 16, 2003
60/466,091, filed April 28, 2003
60/422,455, filed October 30, 2002

I hereby claim the benefit under 35 U.S.C. §120 of the following earlier-filed United States patent applications:

NONE

Insofar as the subject matter of each of the claims of this application is not disclosed in the prior U.S. applications in the manner required by 35 U.S.C. §112, first paragraph, I acknowledge a duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which came into existence between the filing date(s) of the prior applications and the national or PCT filing date of this application.

I hereby appoint the following Attorneys to prosecute this application and any continuation or divisional applications based hereon, and to transact all business in the Patent and Trademark Office connected therewith:

Michael Woods 50,811
Beth Vrioni 39,869

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from the assignee, if any, of the undersigned as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

In addition to the Attorneys listed above, as a named inventor, I hereby appoint the registered practitioners identified by Customer No. 23492 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, whose firm name, mailing address, telephone number, and facsimile number for this application are:

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Abbott Park, IL 60064-6008
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that all statements made herein were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Michael Landry 10/17/07
Michael Landry Date

Erik Wagner _____
Erik Wagner Date

Robert Jones _____
Robert Jones Date

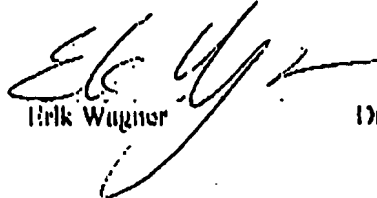
Charlie Forton _____
Charlie Forton Date

Larry Khoo _____
Larry Khoo Date

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that all statements made herein were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Michael Landry

Date

 10-16-07

Erik Wagner

Date

Robert Jones

Date

Charlie Fortan

Date


Larry Khoo

Date

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Michael Landry Date

Erik Wagner Date

 10/17/07

Robert Jones Date

Charlie Forton Date


Larry Khoo Date

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Michael Landry Date

Erik Wagner Date

Robert Jones Date

 10/17/07

Charlie Forton Date

Larry Khoo Date

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Michael Landry

Date

Erik Wagner

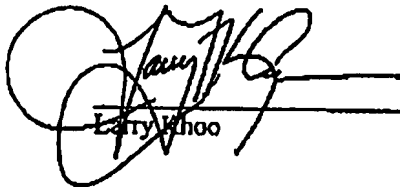
Date

Robert Jones

Date

Charlie Forton

Date



Larry Khoo10/18/07
Date